

---

---

**Introduced by Senator Dills**

February 19, 1998

---

---

An act to amend Section 26726 of the Government Code, relating to keeper fees.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1862, as introduced, Dills. Keeper fees.

Existing law sets keeper fees at not more than \$75 for every 8-hour period, and \$21 for preparing a ~~not-found~~ *not-found* return.

This bill would raise those fees to \$100 and \$25, respectively, as well as provide for a \$25 fee for keeper investigations and mileage compensation for keepers at the maximum rate allowed by the Franchise Tax Board, as specified.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 26726 of the Government Code  
2 is amended to read:  
3 26726. (a) The fee for keeping and caring for  
4 property under a writ of attachment, execution,  
5 possession, or sale shall not exceed ~~seventy-five dollars~~  
6 ~~(\$75)~~ *one hundred dollars (\$100)* when necessarily  
7 employed for any eight-hour period or any part thereof.  
8 If an additional keeper or keepers are required during  
9 these periods, the fee for the additional keeper or keepers  
10 shall be the same as fixed, but, in no event shall any one



1 keeper receive more than one hundred fifty dollars  
2 (\$150) during any 24-hour period when so employed.

3 (b) In addition to the fees provided by Section 26721,  
4 the fee for maintaining custody of property under levy by  
5 the use of a keeper is twenty-one dollars (\$21) for each  
6 day custody is maintained after the first day.

7 (c) Notwithstanding any other fee charged, a keeper  
8 shall receive ~~twenty-one dollars (\$21)~~ *twenty-five dollars*  
9 *(\$25)* when, pursuant to Section 26738, a levying officer  
10 prepares a ~~not found~~ *not-found* return.

11 (d) *Notwithstanding any other fee, a keeper shall*  
12 *receive a fee of twenty-five dollars (\$25) when required*  
13 *to perform an investigation.*

14 (e) *In addition to the fees allowed by this section, a*  
15 *keeper shall receive compensation for mileage traveled*  
16 *in the course of performing his or her duties, payable at*  
17 *the maximum rate allowed by the Franchise Tax Board*  
18 *for tax deduction purposes.*

